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Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 11-21-00	Bureau/Station/Facility: FORII/CARSON STATION	Admin. Invest.? ☐ Hit? ☐

Incident Information

URN: 400-14554-1694-055	Date: 11-21-00 Time: 2322
City or Station: TORRANCE	Nature of Incident: DEPUTY INVOLVED SHOOTING NON-HIT
Location: [redacted] SOUTH BERENDO AVENUE	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, (Street) [circled], Other: ______

Lighting (*circle only one*): Darkness, Daylight, Other, (Street Lights) [circled]

Weather (*circle only one*): (Clear) [circled], Cloudy, Fog, Rain

Distance:

Incident Type (*circle one or more*): Accidental, (Armed Person) [circled], Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service

Other: ______

Initiated by (*circle only one*): Arrest Warrant, (Call) [circled], Observation, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, (Routine Patrol) [circled]

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
5	0	☒	☒

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name [redacted]		First Name [redacted]		M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph. [redacted]	Home Ph. [redacted]	
Last Name [redacted]		First Name [redacted]		M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph. [redacted]	Home Ph. [redacted]	
Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph. [redacted]	Home Ph. [redacted]	

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	BURNS	NICKY	L.	(On Duty) [circled], Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	STUCKEY	VICKI	L.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	MCKEON	RICHARD	J.

PSTD Use Only
SH # ______

Officer Involved Shooting

URN: 400-14554-1694-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
11-22-0	0100	01-29-01	

Employee #	Last Name	First Name	M.I
[redacted]	MOREJON	ELIER	
[redacted]	CAMPBELL	THOMAS	T.
[redacted]	GONZALES	ALFRED	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FR	ZZ	22			NN	NN
S#1	E#2	FR	ZZ	22			NN	NN
E#1	S#1	FH	BR	45	Y	Y	NN	NN
E#2	S#1	FH	BN	9	Y	Y	NN	NN

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 400-14554-1694-055

Involved Employee

E 1

Employee # [redacted]	Last Name AUSTIN	First Name MICHAEL	M.I. D.
Sex: M Race: W	Rank DEPUTY	Unit Assignment: CARSON	Work Assignment (Unit #, Module, etc.): 163A2
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: 4	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted] Height: 603 Weight: 237			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 2

Employee # [redacted]	Last Name INITAL	First Name KINA	M.I.
Sex: M Race: C	Rank DEPUTY	Unit Assignment: CARSON	Work Assignment (Unit #, Module, etc.): 163A2
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted] Height: 505 Weight: 150			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name	First Name	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting Suspect Information

URN: 400-14554-1694-055

Suspect Information

S 1

Last Name: BECERRA	First Name: DANIEL	M.I.:
AKA Last Name: "LITTLE SNIPER"	First Name:	M.I.:

Sex: M Race: H	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #:	Driver's License #:
Age: 18 D.O.B. 09-17-82	Height: 509 Weight: 125	FBI # [redacted]	CII # [redacted]
Booking # 6680202	Primary Charge: 245(D)PC	Secondary Charge: 11351 H&S	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED SHOOTING
IAB SH-2026417

On Tuesday, November 21, 2000, Sergeants Elier Morejon, Thomas T. Campbell and Alfred Gonzales along with Lieutenant Mike O'Brien of the Internal Affairs Bureau responded to Carson Station regarding a non-hit deputy involved shooting. Deputies from Carson Station were involved a non hit shooting after a suspect ran from them armed with a rifle, following a vehicle stop, and then turned pointing the rifle in their direction.

The summary of this incident is based on information obtained from reports, memoranda, and other documents regarding Carson Station File #400-14554-1694-055, interviews of involved sworn personnel, civilian witnesses and Suspect Daniel Becerra. (See Exhibit - A)

INVOLVED PERSONNEL

Austin, Michael	#[redacted]	Deputy Bonus 1
Initial, Kina	#[redacted]	Deputy Sheriff

Deputy Austin is a nine year Department veteran who has worked at Carson Station since January 05, 1998. Deputy Austin [redacted] Deputy Austin was in possession of his Departmentally approved Beretta, .45 calibre semi-automatic handgun..

Deputy Inital is a four year Department veteran who has worked at Carson Station since October 01, 2000. Deputy Inital [redacted] Deputy Inital was in possession of his Departmentally approved Beretta 9mm semi-automatic handgun.

SUSPECT

Becerra, Daniel MH/09-17-82. Booking #6680202

Suspect Becerra is an 18 year old Male Hispanic who has a [redacted] Suspect Becerra [redacted] (See Exhibit - B)

WITNESSES:

[redacted]	FH/[redacted]
[redacted]	MH/[redacted]
[redacted]	FH/[redacted]
[redacted]	MH/[redacted]
[redacted]	FH/[redacted]
[redacted]	MH/[redacted]

INVOLVED EMPLOYEES STATEMENTS

DEPUTY MICHAEL AUSTIN

Deputy Michael Austin said that he and his partner Deputy Inital were working as 163A2 in a marked black and white patrol car. Deputy Austin said that he was driving to a call for service in which he was assigned as the assisting unit. He was responding to a call of possible gang members drinking beer and making loud noises across from [redacted] South Berendo Avenue, Torrance. Deputy Austin said that he drove his vehicle northbound Berendo Avenue from Torrance Boulevard. He believes he turned off his headlights in order to "sneak" in on the disturbing parties. Deputy Austin approached Milton Street and saw a vehicle described as a 1992, BMW, White, 4 door, License # [redacted] driving eastbound Milton Avenue approaching Berendo Avenue. (See Exhibit - C) The vehicle made an aggressive left turn onto northbound Berendo Avenue directly in front of Deputy Austin's vehicle. Deputy Austin said that as the vehicle made turn he could clearly see that the front passengers door was ajar. He felt this was very odd and unusual. He could not see inside the vehicle because the windows were heavily tinted. The vehicle quickly accelerated away from Deputy Austin. Deputy Austin said he also accelerated to catch up to the vehicle, because he intended to stop it for vehicle code violations. Deputy Austin said that the vehicle came to a quick stop directly in the middle of the intersection. Deputy Austin had just turned on his vehicle's rotators and spot lights as the vehicle came to a stop.

The car slowed and before it came to a complete stop the front passengers door opened. Deputy Austin saw what appeared as the tip of a rifle pointed upwards from inside the front right passenger compartment. The front passenger got out very rapidly before Deputy Austin's vehicle came to a stop. Deputy Austin described the front passenger, Suspect Daniel Becerra, as a Male Hispanic, 510, 180, shaved head, mustache or goatee, wearing dark clothing; dark baggie pants and a dark jacket. The suspect ran northeast with the rifle in his right hand. Deputy Austin thought that the rifle was possibly an SKS type rifle. Deputy Austin said that as the suspect got to the sidewalk area were there was a retaining wall he immediately spun his upper torso back towards him and his partner and started lowering the barrel of the rifle in their direction. Deputy Austin said at this time he felt the suspect had taken a position of advantage and was going to open fire on them. Deputy Austin said he was standing behind his open driver's door when he fired his Department issued semi-automatic handgun at the suspect to stop the suspect from firing at him and his partner. Deputy Austin believes he shot three to five rounds. The suspect then ducked and hid behind the retaining wall. Deputy Austin immediately lost sight of the suspect. After the shooting, Deputy Austin saw approximately three people walking towards him on the west sidewalk. Deputy Austin pointed his duty weapon at the three individuals because he thought they might be involved with the suspect. Deputy Austin claimed that immediately following the shooting he was overwhelmed with the surroundings, he had a fleeing suspect with a rifle, three individuals held at gunpoint and a vehicle with possible suspects inside. He immediately requested the patch and started to coordinate units to his location. Deputy Austin said that as soon as the assisting units arrived they cleared the vehicle which contained three additional suspects. Deputy Austin said that he found the rifle, (.22 calibre, JC Higgins, Model 28, Sears & Roebuck) laying in the front yard of [redacted] South Berendo Avenue. It was parallel to the chain link fence that ran along the driveway of [redacted] (See Exhibit - D)

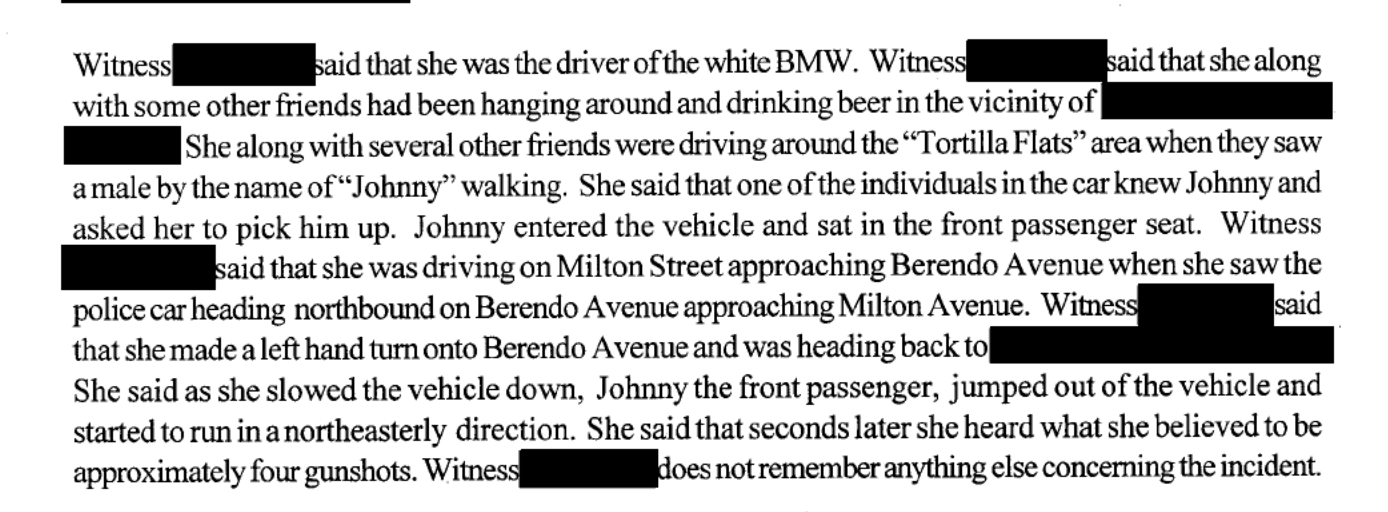
DEPUTY KINA INITAL

Deputy Inital said that he and his partner Deputy Austin were driving northbound Berendo Avenue from Torrance Boulevard on their way to a call for service around the area of Berendo Avenue and Milton Avenue. Once they approached Milton Avenue he saw a white vehicle driving eastbound Milton Avenue. The vehicle made a quick left turn onto Berendo Avenue. When the vehicle made the turn he saw that the right front passenger door was partially open. He told Deputy Austin that he saw the front door open. Deputy Inital said that Deputy Austin attempted to make a traffic stop, but the vehicle never slowed down. The vehicle eventually slowed down and a male Hispanic jumped out carrying in his right hand what appeared to him as a rifle. Deputy Inital stepped out of his vehicle and immediately unholstered his weapon. The suspect ran northeast. Deputy Inital said that they did not chase the suspect because they knew that there was a possibility that other occupants inside the vehicle still existed.

Deputy Inital said the suspect ran onto the east sidewalk of Berendo Avenue. The sidewalk has a telephone pole at the curbside. The suspect paused behind the telephone pole and turned towards Deputy Inital and his partner. Deputy Inital fearing for his life fired approximately two to three rounds from his service weapon at the suspect, while standing behind the front passenger door. Deputy Inital said he believes he fired two or three rounds at the suspect. Deputy Inital said that he still perceived the suspects in the vehicle as a threat. Deputy Austin immediately requested assistance via his handheld radio. Deputy Inital said that with the assistance of other Carson Station units they initiated a felony extraction of the remaining three passengers in the vehicle.

WITNESSES STATEMENTS

[redacted]



Witness [redacted] said that she was the driver of the white BMW. Witness [redacted] said that she along with some other friends had been hanging around and drinking beer in the vicinity of [redacted] She along with several other friends were driving around the "Tortilla Flats" area when they saw a male by the name of "Johnny" walking. She said that one of the individuals in the car knew Johnny and asked her to pick him up. Johnny entered the vehicle and sat in the front passenger seat. Witness [redacted] said that she was driving on Milton Street approaching Berendo Avenue when she saw the police car heading northbound on Berendo Avenue approaching Milton Avenue. Witness [redacted] said that she made a left hand turn onto Berendo Avenue and was heading back to [redacted] She said as she slowed the vehicle down, Johnny the front passenger, jumped out of the vehicle and started to run in a northeasterly direction. She said that seconds later she heard what she believed to be approximately four gunshots. Witness [redacted] does not remember anything else concerning the incident.

WITNESSES STATEMENTS: (CONT.)

[redacted]

Witness [redacted] said he was seated in the left rear seat of the white BMW. He said that they saw "Johnny" walking down the street and picked him up. They were going to look for [redacted] when they saw the police car behind them and knew that they were going to get pulled over. He then saw Johnny jump out of the vehicle and start running. He doesn't know why Johnny ran. Witness [redacted] was unaware that Johnny had a gun prior to him exiting the vehicle. He saw him run away and as he ran he slowed down and turned around. He then heard some gunshots, he doesn't know who shot first, the police or Johnny. Witness [redacted] said he heard approximately two to four rounds. He said he heard the deputies yelling something at him prior to the shooting, but could not tell what they said because he was inside the car. Witness [redacted] said that he knew nothing else and did not want to talk anymore because he did not want to get killed for snitching off his home boys.

[redacted]

Suspect [redacted] said she was the right rear passenger in the white BMW. Witness [redacted] said she had been hanging out at [redacted] She said that the suspect asked Witness [redacted] for a ride to a friends house. Witness [redacted] agreed to take the suspect, but asked Suspect [redacted] to go with her. She said they drove to a house that is a few blocks west of Berendo Avenue near Milton Street. Suspect [redacted] said the suspect entered a house and a short time later came out and walked to the car. Witness [redacted] said as the suspect walked back to the car she saw an object under his jacket, but could not tell what it was. She said as the suspect entered the car, she realized that the object he was carrying was a rifle. She said they then started driving back to the Berendo Street address. As they turned northbound onto Berendo Avenue, she heard the suspect say, "the cops are behind us". Witness [redacted] then started to slow the car down when the suspect jumped out and ran away from the car in a northeasterly direction. Witness [redacted] said that she heard someone yell "stop", and then heard approximately ten gunshots. She immediately ducked and was unable to see anything else.

[redacted]

Witness [redacted] said he was hanging out at [redacted] with his friends [redacted] and [redacted] He said he saw a white car coming northbound on Berendo Avenue and a police car behind it. He said he saw that the police car was trying to stop the car, so he started to walk up the driveway. He said he walked away because he did not want to be harassed by the police. Witness [redacted] said as he walked up the driveway he heard several gunshots. He said he could not tell if the deputies were shooting or if someone else was shooting. He said he decided not to run because he did not want the deputies thinking that he was involved in the shooting.

WITNESSES STATEMENTS: (CONT.)

[redacted]

Witness [redacted] said she was in the front yard of [redacted] sitting on [redacted] lap. She said she was sitting with her back towards the street when she heard a car pull up. She turned around and saw a white vehicle being pulled over by a police car. Witness [redacted] said she did not pay any attention to the vehicle and turned to face [redacted] She then heard three gunshots, a pause, and three more gunshots. Witness [redacted] quickly turned and saw that the white car's front passenger door was open. She did not see anyone run from the vehicle. She then heard the deputies talking on the radio saying someone had run from them. Witness [redacted] said she did not see anything else regarding the incident.

[redacted]

Witness [redacted] said he was seated on a chair in the front yard of [redacted] along with [redacted] He said he saw a white vehicle being pulled over by the police. He then saw the driver of the police car get out. He then heard two gunshots a pause and another two gunshots. He said that he did not see where the gunshots had come from, but believed that the driver deputy had shot. Witness [redacted] said he did not see anyone get out of the white vehicle and run..

> **IAB NOTE:** It should be noted that Witness [redacted] and [redacted] were very uncooperative during the interviews. They stated that if they cooperated with our questions they would be killed by other "Tortilla Flats" gang members. It should also be noted that at the time of the interviews all three had slight signs of alcohol intoxication. All admitted to drinking beer prior to the incident.

[redacted]

I spoke to Witness [redacted] who lives at [redacted] Witness [redacted] said earlier in the evening he had seen numerous people across the street from his residence drinking beer and being loud. Witness [redacted] said he went to bed and was later awakened by a loud sound made by a vehicle as it traveled on Berendo Avenue. He said seconds after he was awakened he heard gunshots, unknown how many. He immediately walked up to his window which faces west. He saw a police car with the driver deputy standing just outside of the driver's door holding his handgun and pointing it in a northern direction. Witness [redacted] said he did not see who shot and never saw anyone run from the white vehicle.

SUSPECT STATEMENTS

Suspect Becerra was not arrested on the night of the incident. He was later arrested by Detectives from Carson Station during the service of a Search Warrant. These Suspect Statements are taken from Carson Station O.S.S. Detective Ismael Chavez' supplemental report. (See Exhibit - E)

SUSPECT STATEMENTS (CONT.)

Suspect Becerra was interviewed and originally denied being involved in the incident at question. Further into the interview Detective Chavez told Suspect Becerra that he believed that he was the one who ran from the vehicle and then turned around and pointed the rifle at the deputies. Suspect Becerra put his head down and nodded yes. Suspect Becerra then asked to speak to his attorney and the interview was terminated.

PHYSICAL EVIDENCE

There were a total of five expended casings found at the scene by the crime lab. Three casings were found east of the radio car on the street. (See Exhibit - F) One casing was found on top of the roof of the radio car. (See Exhibit - G). One of the casings was found on the driver's side floorboard of the radio car. (See Exhibit - H). Four out of the five rounds were accounted for. One round struck the light pole on the east sidewalk of Berendo Avenue. (See Exhibit - I) One round struck the retaining wall near the light pole on the east sidewalk of Berendo Avenue. (See Exhibit - J). The other two rounds struck a block wall fence located behind the light pole at [redacted] (See Exhibit - K) None of the projectiles were found and therefore we are unable to determine which rounds were fired from what weapon.

INVESTIGATOR OBSERVATIONS

I did not find any property damage to any of the surroundings homes or vehicles. The rounds that struck the walls made very minor indentations. Civil Litigation was not requested for this reason. The light pole located on the east sidewalk directly over where the suspect turned towards the deputies provided good overhead lighting conditions. The light was in good working order. (Exhibit - L)

On November 28, 2000, Los Angeles County Deputy District Attorney Wayne Sato, filed felony complaint number TA05820701, charging Suspect Becerra, Daniel with Assault with a deadly weapon on Peace Officer 245(D)(1) PC, Possession of Controlled Substance for Sale 11351 H&S, Possession of Firearm in violation of Probation 12021(D) PC. On December 27, 2000, was convicted for 245(D)(1) PC and received three years felony probation and 240 days in the county jail.

All three witnesses that were inside the BMW were later released without charges. The three individuals who walked up to the scene were only detained as witnesses for interview purposes and subsequently released.